

HOUSE No. 4184

The Commonwealth of Massachusetts

By Mr. Walsh of Lynn, for the committee on State administration and Regulatory Oversight, on House, No. 623, relative to the leasing of the lifesaving station in the town of Westport to the Westport fisherman's association. (House, No. 4184). July 29, 2009

RELATIVE TO THE LEASING OF THE LIFESAVING STATION IN THE TOWN OF
WESTPORT TO THE WESTPORT FISHERMAN'S ASSOCIATION.

FOR THE COMMITTEE

NAME:	DISTRICT/ADDRESS:
Steven M. Walsh	11th Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act RELATIVE TO THE LEASING OF THE LIFESAVING STATION IN THE TOWN OF WESTPORT TO THE WESTPORT FISHERMAN'S ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of sections 40E to 40J, inclusive, of chapter 7 of the General Laws, or any other special law or rule or regulation to the contrary, the commissioner of capital asset management and maintenance, on behalf of and in consultation with the commissioner of conservation and recreation is hereby authorized and directed to lease certain land and the building thereon located at the corner of West Beach and East Beach roads at Gooseberry Neck in the Town of Westport and known as the Horseneck Point Lifesaving Station to the Westport Fisherman's Association for a period of 25 years for the purpose of operating a lifesaving museum. Said lease shall be for nominal consideration.

SECTION 2.

The lessee shall use the property solely for the purpose of operating a lifesaving museum and the lease or other agreement pertaining to the lease of the property shall include a provision restricting the use of the property to such purposes and providing for a reversion of the property to the commonwealth if the property ceases to be used for any other purpose.

SECTION 3.

Upon failure of the Westport Fisherman's Association to make use of the land and buildings for the purposes described herein, the lease hereby authorized shall be terminated, and the land and building together with any improvements thereon shall revert to the Commonwealth under the care and control of the department of capital asset management and maintenance.

SECTION 4. Notwithstanding any general or special law, or any rule or regulation to the contrary, the commissioner of the division of capital asset management and maintenance shall,

21 30 days before the execution of any lease authorized by this act, or any subsequent amendment
22 thereto, submit the proposed lease or amendment and a report thereon to the inspector general for
23 his review and comment. The inspector general shall issue his review and comment within 30
24 days of receipt of the proposed lease or amendment. The commissioner of the division of capital
25 asset management and maintenance shall submit the proposed lease or amendment, and the
26 reports and the comments of the inspector general, if any, to the house and senate committees on
27 ways and means and the joint committee on State Administration and Regulatory Oversight at
28 least 30 days before execution of said lease.

29 **SECTION 5.** During the term of the lease, the lessee shall be responsible for operating and
30 maintaining the leased property and any and all costs associated with such operation and
31 maintenance.

32 **SECTION 6.** The lessee shall be responsible for any and all costs associated with the lease of
33 the property under this act including costs of any surveys and legal or recording fees.